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Victim Impact Statements

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ILLINOIS ATTORNEY GENERAL

What is a Victim Impact Statement and how is it used?

As the victim of a violent crime, you have the opportunity to use a Victim Impact Statement to describe how the crime affected you and others close to you. This statement has space for you to write about the physical, emotional, and financial effects of the crime. If the defendant pleads guilty or is found guilty after trial, your impact statement will help the judge understand how the crime has affected you and those close to you.

Submitting a Victim Impact Statement is voluntary.

You do not have to fill out a Victim Impact Statement. However, it may be helpful to the judge in deciding what punishment the defendant should receive and any money the defendant may have to pay to you as restitution.

Exercising your legal right to submit a Victim Impact Statement.

The Crime Victim Bill of Rights and the Illinois Constitution give you a legal right to submit a Victim Impact Statement. Talk to the prosecutor about submitting a Victim Impact Statement as soon as possible.

Request to submit a Victim Impact Statement in writing to the State's Attorney of the county in which the case is being prosecuted. The State's Attorney has a duty

under the law to assist you with a Victim Impact Statement if you make this request in writing. Even if you decide not to submit a statement, it is important to have the option and discuss it with the prosecutor.

Telling the judge your story through a Victim Impact Statement.

According to an American Bar Association study, 70 percent of judges find information contained in Victim Impact Statements useful in determining appropriate sentences and fair restitution orders.

Providing a full picture of the crime through a Victim Impact Statement.

Often, the crime to which the offender was sentenced differs from the crime that actually occurred as a result of plea negotiations. Victim Impact Statements can paint a complete picture of the actual crime. Submitting a Victim Impact Statement to paroling authorities also allows victims to update the emotional, physical, and financial effects of the crime which may not have been known at the time of sentencing.

Suggestions for completing your Victim Impact Statement:

Organize your statement by the emotional, physical, and financial effects of the crime. When drafting your statement, remember to do the following:

- Describe how the crime has affected your lifestyle and those close to you.
- If you or your family member(s) were injured, write about the physical or emotional impact of the crime.
- Describe the physical or emotional injuries you or members of your family have suffered.
- Describe any medical treatment you have received or expect to receive in the future.
- Discuss how the crime affected your ability to earn a living and how it has affected you financially.
- Be complete in describing your financial losses, because this information may be used for determining restitution. Restitution is the possible payment by the defendant to you for any financial losses you may have suffered as a result of this crime.
- Write a rough draft before completing the final statement.

If you need assistance in completing your Victim Impact Statement, please feel free to contact the Crime Victim Services Division at 1-800-228-3368 (Voice/TTY).

"*My Victim Impact Statement was the last opportunity I had to let anyone know about my daughter.*" – A crime victim

"*The Victim Impact Statement allowed me to construct what had happened in my mind. I could read my thoughts…they were on paper…in black and white. It helped me to know that I could deal with this terrible thing.*" – A crime victim

"*When the Victim Impact Statement was read, the entire courtroom was in tears. I watched the judge and he was really paying attention. On that day, I saw that Victim Impact Statements are a way to educate judges, juries, prosecutors, and probation officers on what it means to be a victim.*" – A probation officer

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For more information about Victim Impact Statements and Crime Victim Rights in Illinois, contact:

Office of the Illinois Attorney General
Crime Victim Services Division
100 W. Randolph Street, 13th Floor
Chicago, IL 60601
312-814-2581 (Phone)
312-814-7105 (Fax)

Crime Victims Assistance Line
1-800-228-3368 (Voice/TTY)

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